

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Appl. No.: 10/823,880  
Conf. No.: 5670  
  
Applicants: Lynch, et al.  
Filed: April 14, 2004  
  
TC/A.U.: 2615  
Examiner: Huyen D. Le  
  
Title: Listening Device Cap  
  
Docket No.: 05-00634-02  
Customer No.: 23845

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Amendment**

Dear Examiner:

This amendment responds to the Office Action mailed October 29, 2008 for the subject application, in which Claims 9, 10, 12-16, and 21-33 were rejected.

Twenty (20) claims remain pending in the application: Claims 9-10, 12-16, and 21-33, of which Claims 9, 28, and 29 are independent.

An Invention Disclosure Statement is filed herewith.

A Petition for Extension of Time (for one month) is submitted concurrently herewith, including the applicable fee payment. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0648. Should such fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefor.

**Amendments to the specification** begin on page 2 of this paper.

**Listing of the claims** begins on page 4 of this paper.

**Remarks** begin on page 8 of this paper.